RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1761

PATENT
Attorney Docket No. 209684

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vermin et al.

Application No. 09/787,004

Art Unit: 1761

Examiner: Leslie Wong

Filed: May 23, 2001

For: DAIRY PRODUCT AND METHOD FOR PREPARING SAME

PENDING CLAIMS AFTER AMENDMENTS MADE IN RESPONSE TO OFFICE ACTION DATED OCTOBER 18, 2002

1. A method for preparing a dairy product comprising the steps of:

(a) adding a lactose-negative, food-technologically acceptable micro-organism to a medium comprising milk or a milk product;

(b) ripening said micro-organism under aerobic conditions; and

(c) bringing the resulting product under anaerobic conditions such as to have aromas of the ripening strain formed.

2. The method according to claim 1, in which the microorganism is a yeast.

3. The method according to claim 2, in which the yeast originates from one of the following set of strains: *Candida zelanoides, Debaryomyces hansenii spp hansenii, Saccharomyces cerevisiae, Candida robusta*, or *Zygosaccharomyces rouxii*.

5. The method according to claim 1, in which the medium is treated under anaerobic conditions with a food-technologically acceptable lactic acid bacterium.

6. The method according to claim 1 in which the dairy product is sterilized.

7. A dairy product prepared by treating a medium comprising milk or a milk product under aerobic conditions with a lactose-negative, food-technologically acceptable microorganism to render a treated medium comprising milk or a milk product; and
maintaining the treated medium comprising milk or a milk product under anaerobic conditions.

8. A method for producing a food comprising a dairy product comprising: introducing a lactose-negative, food-technologically acceptable microorganism to a medium comprising milk or a milk product, thereby imparting an aroma to the dairy product.

9. The method according to claim 7 further comprising preparing an aromatized food product including the dairy product.

10. The method according to claim 1, in which the microorganism is a bacterium.

11. The method of claim 2 wherein the dairy product is sterilized.

12. The method of claim 3 wherein the dairy product is sterilized.

13. The method of claim 4 wherein the dairy product is sterilized.

14. The method of claim 5 wherein the dairy product is sterilized.

15. The dairy product according to claim 7, in which the microorganism is a yeast.

16. The dairy product according to claim 15, in which the yeast originates from one of the following set of strains: *Candida zelanoides, Debaryomyces hansenii spp hansenii, Saccharomyces cerevisiae, Candida robusta,* or *Zygosaccharomyces rouxii.*

17. The dairy product according to claim 7, in which the microorganism is a bacterium.

18. The method according to claim 17, in which the bacterium originates from one of the following set of strains: *Micrococcus luteus, Arthrobacter, Corynebacterium* or *Arthrobacter ssp.*

19. The method according to claim 7, in which the medium is treated under anaerobic conditions with a food-technologically acceptable lactic acid bacterium.

20. The method according to claim 7 in which the dairy product is sterilized.

21. The method according to claim 10, in which the bacterium originates from one of the following set of strains: *Micrococcus luteus, Arthrobacter, Corynebacterium* or *Arthrobacter ssp.*